

### **REMARKS**

In response to the action of March 19, 2010, applicant asks that all claims be allowed in view of the amendments to the claims and the following remarks. Claims 25-44 are currently pending, of which claims 25, 32, 33, 40, and 41 are independent. Claims 1, 4, 5, 7-19, and 21-24 have been cancelled without prejudice or disclaimer of subject matter, and claims 25-44 have been added. This amendment is being filed concurrently with a Request for Continued Examination.

### **Interview Summary**

Applicant thanks Examiner Rines for the courtesies extended during the telephone interview conducted on September 15, 2010. During the interview, applicant's undersigned representative and Examiner Rines discussed new claim 25 with respect to the cited references. Examiner Rines indicated that new claim 25 would appear to advance prosecution, but that further search and consideration is needed. This reply reflects the substance of the interview.

### **§ 112 Rejections**

Claims 1, 4, and 5 have been rejected as being indefinite. Applicant has cancelled claims 1, 4, and 5, thereby rendering this rejection moot.

### **§ 103 Rejections**

Claims 1, 4, 5, 7-10, 12, 14-19, and 21-23 have been rejected as being unpatentable over Johnson (U.S. Patent No. 6,067,525) in view of Johnson (U.S. Publication No. 2002/0006126) and Malec (U.S. Patent No. 4,973,952) and claims 13 and 24 have been rejected as being unpatentable over Johnson '525, in view of Johnson '126, Malec, and Official Notice. Applicant has cancelled claims 1, 4, 5, 7-19, and 21-24, thereby rendering this rejection moot. To the extent necessary, applicant traverses the use of Official Notice in the Office Action.

### **New Claims**

New independent claim 25 recites, among other things, determining a context of the interaction based on the detected spoken words by filtering data associated with the detected

spoken words to prioritize identification of a context relevant to the first product type associated with the first geographic location relative to identification of a context relevant to a second product type associated with a second geographic location, the second product type being different than the first product type and the second geographic location being different than the first geographic location. As discussed in the telephone interview of September 15, 2010, Johnson '525, Johnson '126, and Malec, taken singly or in combination, fail to describe or suggest at least these features of new independent claim 25. Accordingly, applicant submits that new independent claim 25 and its dependent claims are allowable.

Although different in scope from new independent claim 25, new independent claim 32 recites features similar to those recited by new independent claim 25, but does so in the context of a sales support tool. Accordingly, applicant submits that new independent claim 32 is allowable.

New independent claim 33 recites, among other things, filtering data associated with the detected spoken words to prioritize identification of a first context relevant to the first product type associated with the first geographic location relative to identification of a context relevant to a second product type associated with a second geographic location, the second product type being different than the first product type and the second geographic location being different than the first geographic location. For reasons similar to those presented above with respect to new independent claim 25, Johnson '525, Johnson '126, and Malec, taken singly or in combination, fail to describe or suggest at least these features of new independent claim 33. Accordingly, applicant submits that new independent claim 33 and its dependent claims are allowable.

Although different in scope from new independent claim 33, new independent claim 40 recites features similar to those recited by new independent claim 33, but does so in the context of a sales support tool. Accordingly, applicant submits that new independent claim 40 is allowable.

New independent claim 41 recites, among other things, based on the determination of the first location in the retail sales store where the interaction between the sales agent and the customer is occurring, processing the detected spoken words by focusing on identifying keywords related to products found in an area of the retail sales store that corresponds to the first location in the retail sales store where the interaction between the sales agent and the customer is

occurring, and avoiding keywords related to products found in other areas of the retail sales store that do not correspond to the first location in the retail sales store where the interaction between the sales agent and the customer is occurring. For reasons similar to those presented above with respect to new independent claim 25, Johnson '525, Johnson '126, and Malec, taken singly or in combination, fail to describe or suggest at least these features of new independent claim 41. Accordingly, applicant submits that new independent claim 41 and its dependent claims are allowable.

### **Conclusion**

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its cancellation.

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response be extended for three months to and including Monday, September 20, 2010. The fee in the amount of \$ 1,110.00 in payment of the three-month extension of time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

Applicants submit that all claims are in condition for allowance. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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